

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

ERMA HINSON, *et al.*,)
Plaintiffs,)
v.)
HIGH COUNTRY ADVENTURES, *et al.*,)
Defendants.)
No. 1:23-CV-139
Judge Collier
Magistrate Judge Steger

ORDER

This matter is before the Court on United States Magistrate Judge Christopher H. Steger’s amended report and recommendation (the “R&R”) recommending the Court grant in part and deny in part Plaintiffs’ motion (Doc. 28) for leave to amend their complaint. (Doc. 48.) The R&R recommends Plaintiffs be allowed to amend their complaint to include additional factual allegations relevant to their existing claims for negligence and gross negligence, but that Plaintiffs not be allowed to add a claim for negligent procurement of insurance or to add unnamed parties as defendants. (*Id.* at 7.) Plaintiffs filed timely objections to the R&R (Doc. 49), and Defendants responded (Doc. 51).

For the reasons set out in the accompanying Memorandum, Plaintiffs' objections to the R&R (Doc. 49) are **OVERRULED**. The Court **ACCEPTS** and **ADOPTS** the R&R (Doc. 48). Plaintiffs' motion for leave to amend the complaint (Doc. 28) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Plaintiffs' Motion for Leave to File First Amended Complaint (Doc. 28) is
GRANTED to the limited extent that Plaintiffs seek to amend the original

complaint to include additional facts to support causes of action already set forth in the original complaint.

2. Plaintiffs' Motion for Leave to File First Amended Complaint (Doc. 28) is **DENIED** to the extent that Plaintiffs seek to add a claim for negligent procurement of insurance.
3. Plaintiffs' Motion for Leave to File First Amended Complaint (Doc. 28) is **DENIED** to the extent that Plaintiffs seek to add unnamed defendants.

Plaintiffs shall file their amended complaint as allowed by this Order **three business days** of the issuance of this Order.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE